

obtained by contacting Michigan at 616-781-2711.

**Authority:** Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: September 23, 1998.

**Neil E. Porter,**

*Director, Compliance Division.*

[FR Doc. 98-26093 Filed 9-30-98; 8:45 am]

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## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### Designation for the Amarillo (TX), Fostoria (OH), Schaal (IA), and Wisconsin Areas

**AGENCY:** Grain Inspection, Packers and Stockyards Administration (GIPSA).

**ACTION:** Notice.

**SUMMARY:** GIPSA announces designation of the following organizations to provide official services under the United States Grain Standards Act, as amended (Act):

Amarillo Grain Exchange, Inc.

(Amarillo);

Fostoria Grain Inspection, Inc.

(Fostoria);

D.R. Schaal Agency, Inc. (Schaal) and; Wisconsin Department of Agriculture, Trade and Consumer Protection (Wisconsin).

**EFFECTIVE DATE:** December 1, 1998.

**ADDRESSES:** USDA, GIPSA, Janet M. Hart, Chief, Review Branch, Compliance Division, STOP 3604, Room 1647-S, 1400 Independence Avenue, SW, Washington, DC 20250-3604.

**FOR FURTHER INFORMATION CONTACT:** Janet M. Hart, at 202-720-8525.

**SUPPLEMENTARY INFORMATION:** This action has been reviewed and determined not to be a rule or regulation as defined in Executive Order 12866 and Departmental Regulation 1512-1; therefore, the Executive Order and Departmental Regulation do not apply to this action.

In the June 1, 1998, **Federal Register** (63 FR 29695), GIPSA asked persons interested in providing official services in the geographic areas assigned to Amarillo, Fostoria, Schaal, and Wisconsin to submit an application for designation. Applications were due by June 30, 1998. Amarillo, Fostoria, Schaal, and Wisconsin, the only applicants, each applied for designation to provide official services in the entire area currently assigned to them.

Since Amarillo, Fostoria, Schaal, and Wisconsin were the only applicants, GIPSA did not ask for comments on them.

GIPSA evaluated all available information regarding the designation criteria in Section 7(f)(1)(A) of the Act and, according to Section 7(f)(1)(B), determined that Amarillo, Fostoria, Schaal, and Wisconsin are able to provide official services in the geographic areas for which they applied.

Official agency	Designation start	Designation end
Amarillo .....	12/1/1998	11/30/2001
Fostoria .....	12/1/1998	11/30/2001
Schaal .....	12/1/1998	11/30/2001
Wisconsin .....	12/1/1998	11/30/2001

Effective December 1, 1998, and ending November 30, 2001, Amarillo, Fostoria, Schaal, and Wisconsin are designated to provide official services in the geographic area specified in the June 1, 1998, **Federal Register**.

Interested persons may obtain official services by contacting Amarillo at 806-372-8511, Fostoria at 419-435-3804, Schaal at 515-444-3122, and Wisconsin at 715-392-7851.

**Authority:** Pub. L. 94-582, 90 Stat. 2867, as amended (7 U.S.C. 71 *et seq.*).

Dated: September 22, 1998.

**Neil E. Porter,**

*Director, Compliance Division.*

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## DEPARTMENT OF AGRICULTURE

### Grain Inspection, Packers and Stockyards Administration

#### Protein Certification

**AGENCY:** Grain Inspection, Packers and Stockyards Administration, USDA.

**ACTION:** Notice.

**SUMMARY:** The Grain Inspection, Packers and Stockyards Administration (GIPSA) is soliciting comments on its proposal to certify wheat protein content results on any specified moisture basis requested by applicants, in addition to certifying results on the current 12.0 percent moisture basis. This change has been requested by importers of U.S. wheat.

**DATES:** Comments must be submitted on or before November 30, 1998.

**ADDRESSES:** Written comments must be submitted to Sharon Vassiliades at GIPSA, USDA, STOP 3649, 1400 Independence Avenue, S.W., Washington, D.C., 20250-3649; FAX (202) 720-4628; or E-mail svassili@fgisdc.usda.gov.

All comments received will be made available for public inspection at the above address during regular business hours (8:00 a.m.-3:30 p.m.).

**FOR FURTHER INFORMATION CONTACT:** John Giler at (202) 720-0252.

**SUPPLEMENTARY INFORMATION:** On May 1, 1978, GIPSA (then the Federal Grain Inspection Service or FGIS) began offering official wheat protein testing for Hard Red Winter and Hard Red Spring wheat to interested parties in the grain industry. In calculating protein content, an "as-is" moisture basis was also used (though protein content could also be determined and recorded using any specified moisture basis if requested by the applicant for inspection). By calculating protein content using the as-is moisture basis, GIPSA received numerous complaints, mostly from foreign buyers. These complaints were generally about low protein levels which, in part, appeared due to the difference between the U.S. and Canadian methods for computing and stating protein content. Canada was using a fixed 13.5 percent moisture basis compared to the as-is moisture basis calculation which was commonly used for U.S. shipments. When using an as-is moisture basis to certify protein, the certified protein result is directly dependent on the moisture level of the wheat. Protein content is inversely proportional to the moisture content when results are based on the as-is reporting basis. Consequently, as the moisture content of the wheat gets lower, the protein content reported on an as-is basis gets larger. Further, a given lot's protein content could theoretically "change" as the wheat's actual moisture content changed over time when using the as-is reporting basis.

To address these concerns, FGIS proposed, in 1986, to revise its Grain Inspection Handbook to provide that protein content be certified on a constant 12.0 percent moisture basis, instead of the as-is moisture basis or another fixed moisture basis. It was thought that this would add uniformity to the official protein reporting procedure. When reporting on an as-is basis, the protein quantity of wheat which has different moisture levels cannot be compared easily. A 12.0 percent moisture basis was recommended by various grower and processor organizations, as well as the Grain Quality Workshops, because this percentage represented the average moisture content of wheat exported from the United States. The agency believed that protein content, certified on a constant moisture basis of 12.0 percent, would provide buyers, sellers, and users of U.S. wheat with results that could be easily evaluated and compared. Also, use of a constant